

Agency 54

State Library

Articles

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Article 1.—REGIONAL SYSTEMS OF COOPERATING LIBRARIES

54-1-1. Establishment of regional system of cooperating libraries. Libraries petitioning the state library advisory commission for establishment of a regional system of cooperating libraries shall present to the state library advisory commission a comprehensive plan of service to be rendered by the regional system of cooperating libraries, and such plan of services shall be approved by the state library advisory commission prior to establishment of a regional system of cooperating libraries. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-2. Same; resolution by participants. Libraries petitioning the state library advisory commission for the establishment of a regional system of cooperating libraries, or participation in a regional system of cooperating libraries, shall present to said commission resolutions adopted by the board of trustees or other governing body of each petitioning library which requests approval of such system. Appropriate forms shall be provided by the state librarian. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-3. Admission to regional system of cooperating libraries. Any library desiring to participate in a regional system of cooperating libraries which has theretofore been established by the state library advisory commission shall file a petition to participate in said regional system of cooperating libraries with the regional system of cooperating libraries' board of trustees, and said board shall, if it approves the petition to participate, petition the state library advisory commission to include said library as a participating library in such regional system of cooperating

libraries. If such petition is approved by the state library advisory commission, the petitioning library shall become an official participant in the regional system of cooperating libraries and shall have regional system of cooperating libraries board of trustees representation. Such library shall be entitled to services of the regional system of cooperating libraries one year from the 1st day of January following the approval of said petition by the state library advisory commission, unless financial contribution or other agreement by such library is agreed upon between the board of trustees of the regional system of cooperating libraries and the petitioning library and approved by the state library advisory commission to authorize services at an earlier date. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-4. Federal civil rights compliance. Each library participating in, or receiving services or other benefits from a regional system of cooperating libraries, shall file an assurance of compliance with the federal civil rights act of 1964 with the state library and shall file continuing assurances each year thereafter. Regional systems of cooperating libraries shall file assurances of compliances with the federal civil rights act of 1964 with the state library within thirty (30) days following establishment. Regional systems of cooperating libraries shall file continuing assurance of compliance with the federal civil rights act of 1964 annually, following the initial signing of such compliance. Appropriate forms shall be supplied by the state librarian. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-5. Annual program. Regional systems of cooperating libraries shall submit annually to the state library advisory commission for review and amendment a program of services and ten-

tative budget of the regional system of cooperating libraries. Forms for said program of services shall be supplied by the state librarian. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-6. Annual audit. Each regional system of cooperating libraries shall annually have its accounts audited as provided for cities in K.S.A. 1967 Supp. 75-1122. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-7. Personnel. Regional systems of cooperating libraries shall employ a person certified to be a professional librarian by the state library advisory commission as director of the system. The state library advisory commission shall certify no person as a professional librarian unless he possesses the following qualifications:

(a) General education: A bachelor's degree from a recognized college or university.

(b) Professional education: A fifth year degree or its equivalent from an accredited library school.

(c) Experience: Two years full-time professional experience in an administrative position. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-8. Provision for free service. Libraries participating in a regional system of cooperating libraries shall permit any citizen of the territory comprising the system to borrow materials or receive services without charge, subject to reasonable library rules. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-9. Administrative center. Regional systems of cooperating libraries shall establish an administrative center. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-10. Annual reports. Regional systems of cooperating libraries and all libraries participating in regional systems of cooperating libraries shall submit annual reports regarding such statistical or other information as may be required by the state librarian. Appropriate forms will be provided by the state librarian. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-11. Grants. No grant of state or federal funds to a regional system of cooperating libraries will be approved unless such regional system of cooperating libraries has presented to the state library advisory commission a plan and

budget for use of such grant. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-12. Withdrawal from regional system of cooperating libraries. A library participating in a regional system of cooperating libraries may petition the state library advisory commission for withdrawal from said regional system of cooperating libraries if such petition for withdrawal is presented to the state library advisory commission no less than one year prior to the time that the regional system of cooperating libraries is required to publish its annual budget. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-13. Same; opinion of regional system board of trustees. Prior to approval of a petition for withdrawal from a regional system of cooperating libraries the state library advisory commission shall seek the advice and opinion thereon of the regional system of cooperating libraries board of trustees from which the library is petitioning to withdraw. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-14. Same; hearing. The state library advisory commission shall within thirty (30) days after the receipt of a petition for withdrawal from a regional system of cooperating libraries by a participating library set a date for a hearing to consider said petition. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-15. Same; transfer of property. Books, furniture, equipment or other property purchased for a library participating in a regional system of cooperating libraries and paid for from regional system of cooperating libraries or state funds shall be the property of the regional system of cooperating libraries. In the event a participating library should petition the state library advisory commission for withdrawal from the regional system of cooperating libraries and such withdrawal is permitted by the state library advisory commission all books, furniture, equipment, or other property which has been purchased with regional system of cooperating libraries or state funds shall be returned to the regional system of cooperating libraries upon demand of the regional system of cooperating libraries' board of trustees. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-16. Name of regional system of cooperating libraries. The name selected by the regional system of cooperating libraries board of trustees for the regional system of cooperating libraries shall be approved by the state library advisory commission. (Authorized by K.S.A. 1967 Supp. 75-2552; effective Jan. 1, 1968.)

54-1-17. Exclusion from regional system of cooperating libraries. Whenever (1) a public library is established according to law after the date of establishment of a regional system of cooperating libraries in which such public library is included as a part of the taxing district of the regional system of cooperating libraries and (2) if the governing body of such public library has regularly levied one-fourth mill or more of tax for support of said public library for a period of not less than two years, then, such governing body may petition the state library advisory commission for exclusion from the regional system of cooperating libraries taxing district. Such petition for exclusion shall be presented to the state library advisory commission not later than November 15 of each year. Such petition shall include but shall not be limited to the following:

- (a) The official name of the public library;
- (b) The official name of the governing body and the name of the county in which such public library is located;
- (c) The number of persons served by the public library within the taxing district supporting such public library;
- (d) Official evidence of support by tax levy for a period of not less than two years;
- (e) Evidence of adequacy of service by such public library;
- (f) Evidence of the legality of establishment of such public library;
- (g) Any other information as may be required by the state library advisory commission.

The state library advisory commission shall within thirty (30) days after the receipt of a petition for exclusion set a date for a hearing to consider said petition.

If the petition meets the requirements for making such petition and if exclusion will do no manifest harm to the regional system of cooperating libraries, the state commission may enter its order excluding such taxing district from the regional system. Such order shall be filed with the state librarian and the governing body of the regional system of cooperating libraries. (Authorized by

K.S.A. 1968 Supp. 75-2552; effective Jan. 1, 1969.)

54-1-18. Club or private libraries. Any club or private library desiring to participate in a regional system of cooperating libraries shall participate in like manner as required for a public library established and operating under Kansas law; however, such club or private library shall participate only under provisions of K.S.A. 12-2904 as amended by chapter 221 of the 1968 Laws of Kansas, and such contracts as are required shall be subject to the approval of the attorney general and the state librarian. (Authorized by K.S.A. 1968 Supp. 75-2552; effective Jan. 1, 1969.)

54-1-19. School, community, junior college and college or university library. The governing body of any school district, community junior college district or any college or university desiring to participate in a regional system of cooperating libraries may file a petition to participate in a regional system of cooperating libraries in the manner set forth in the rule and regulation 54-1-3. The library of such institution shall meet standards of the north central association of colleges and secondary schools. The board of the regional system of cooperating libraries shall, if it approves such petition, file a petition and amendment to its plan as approved by the state library advisory commission, thereby requesting the state library advisory commission to approve said petition and plan permitting participation in the regional system of cooperating libraries. (Authorized by K.S.A. 1968 Supp. 75-2552; effective Jan. 1, 1969.)

54-1-20. Contracts. Any regional system of cooperating libraries' board of trustees is authorized to contract with the board of any participating library or with any other regional system of cooperating libraries governing body, but such contract shall not take effect until approved by the state librarian. (Authorized by K.S.A. 1968 Supp. 75-2552; effective Jan. 1, 1969.)

54-1-21. Exclusion from regional system of cooperating libraries. When a public library taxing district, regularly levies one-fourth mill or more of tax for a period of not less than two consecutive years for the support of a public library, and which taxing district has been included in a regional system, the governing body of the taxing district may petition for exclusion from the taxing district of the regional system of cooperating li-

braries in the manner prescribed under K.A.R. 54-1-17. (Authorized by K.S.A. 75-2552; implementing K.S.A. 75-2550; effective Jan. 1, 1970; amended May 1, 1982.)

54-1-22. Inclusion in regional system of cooperating libraries. When the governing body of a taxing district which has been excluded from the taxing district of a regional system of cooperating libraries fails to levy one-fourth or more mills of tax for public library support for a period of two consecutive years, the state library advisory commission shall enter its order to include such taxing district as a part of the regional system of cooperating libraries taxing district. (Authorized by K.S.A. 1969 Supp. 75-2552; effective Jan. 1, 1970.)

54-1-23. Allocation of the grant-in-aid fund among the regional systems of cooperating libraries. (a) The system grant-in-aid distribution specified by K.S.A. 75-2555, shall allocate a base grant of equal size to each regional library system.

(b) The remainder of each annual authorization shall be allocated using a formula with the following two factors:

(1) one-fourth of the population of the system territory; and

(2) the total square miles of the system territory.

(c) The base grant component of the distribution shall be increased or decreased by an amount determined using the following calculations:

(1) Determine the percent of change in the total annual authorization from the prior fiscal year to the current fiscal year; and

(2) Multiply the percent determined under paragraph (1) by the difference between the total annual authorization in the prior fiscal year and the total annual authorization in the current fiscal year. This amount shall be added to the base grant component in those years when the authorization has been increased or subtracted from the base grant component when the authorization has been decreased.

(3) This method of allocation between the base and formula components shall be followed until the two components are equal.

(4) Future increases in the authorization shall then be equally divided between the base and formula components.

(d) In any year that the total annual authori-

zation is decreased to, or below, the level of the 1989 amount, the fund shall be divided equally among the systems. (Authorized by and implementing K.S.A. 75-2555; effective Jan. 25, 1993.)

Article 2.—ESTABLISHING A PUBLICATION COLLECTION AND DEPOSITORY SYSTEM

54-2-1. Deposit by state agency. The state librarian shall determine the number of copies to be supplied by each state agency in accordance with the needs of the depository system, and shall inform each state agency on a quarterly basis as to any change in the number of copies needed. (Authorized by K.S.A. 1976 Supp. 75-2568; effective Feb. 15, 1977.)

54-2-2. Distribution of publications. The state library shall forward one (1) copy to each complete depository, and one (1) copy of each publication requested by each selective depository. (Authorized by K.S.A. 1976 Supp. 75-2568; effective Feb. 15, 1977.)

54-2-3. Complete depository library defined. Complete depository library as employed here shall mean any Kansas resource library, regional public library, libraries in institutions of higher education or other libraries that have contracted with the state librarian having agreed to receive one (1) copy of all publications, and agreeing to provide adequate facilities for the storage and use of any such publication, and agreeing to render reasonable service without charge to qualified patrons in the use of such publications, and agreeing to maintain that full collection of publications subject to disposal only upon approval by the state librarian, and agreeing to abide by other such provisions of the contract as stipulated by the state librarian. (Authorized by K.S.A. 1976 Supp. 75-2568; effective Feb. 15, 1977.)

54-2-4. Selective depository library defined. Selective depository library as here employed shall mean any Kansas resource library, regional public library, libraries in institutions of higher education or other libraries that have been designated by the state librarian as a selective depository, and have contracted with the state librarian agreeing to receive one (1) copy of all publications requested and agreeing to provide adequate facilities for storage and use of any such publication, and agreeing to render reasonable service without charge to qualified patrons in the

use of such publications, and agreeing to maintain that collection subject to disposal upon approval by the state librarian, and agreeing to abide by such other provisions of the contract as stipulated by the state librarian. (Authorized by K.S.A. 1976 Supp. 75-2568; effective Feb. 15, 1977.)

54-2-5. Selection of publication by selective depositories. Request for publications by selective depositories shall be submitted in writing to the state librarian, and on proper forms provided by the state librarian. The written request for publication(s) must state the item number(s) of the publication(s) to be received by the selective depositories. (Authorized by K.S.A. 1976 Supp. 75-2568; effective Feb. 15, 1977.)

54-2-6. Item number. The state librarian shall assign each publication or group of publications a specific item number, and shall provide a list of such item numbers and the publication to which they correspond to each complete and selective depository library. Said list shall be revised on an annual basis. (Authorized by K.S.A. 1976 Supp. 75-2568; effective Feb. 15, 1977.)

54-2-7. Agency list of publications. Each state agency shall furnish to the state library a complete list of its publications for the previous year. (Authorized by K.S.A. 1976 Supp. 75-2568; effective Feb. 15, 1977.)

Article 3.—FINANCIAL AID FOR BLIND AND PHYSICALLY HANDICAPPED; SUB-REGIONAL LIBRARIES

54-3-1. Definitions. “Blind and physically handicapped sub-regional library” means a public library (city, county, or multi-county) serving a minimum of two hundred (200) readers in cooperation with its regional library for the blind and physically handicapped. “Eligible blind and physically handicapped readers” means those individuals who cannot read or use ordinary printed books, and other printed materials because of physical limitations. This limitation may be tem-

porary or permanent. (Authorized by K.S.A. 75-2542, 75-2547; effective May 1, 1978.)

54-3-2. Procedures for determining eligibility for grant. An application shall be filed before June 1 of each year with the state librarian on such forms as provided by the state librarian:

(a) Budget

(1) The administrative agency receiving the grant funds shall submit a budget of proposed expenditures.

(2) Federal, state and local funds shall be itemized.

(3) The local administrative agency may not deviate more than fifteen percent (15%) for any proposed expenditure category without submission of a revised budget to the Kansas state library with a request that the revision be approved.

(4) No revisions may take force until written approval is received from the state librarian. (Authorized by K.S.A. 75-2542, 75-2547; modified, L. 1978, ch. 446, May 1, 1978.)

54-3-3. Procedure for determining contract payments. (a) Federal funds. Each subregional library shall receive, as a contract payment, that portion of available federal money which equals the subregional’s average percentage of the total active readers served during each of the preceding three years, as certified by the state library on October 15 of each year.

(b) State funds. Each annual budget request prepared by the state librarian shall include the estimated amount needed to fund this program. After a base contract payment of \$7,500 for each subregional library, any additional payment shall be allocated to each subregional using the percentage method identified in subsection (a).

(c) Contract payments. State and federal funds shall be paid to each qualifying subregional library in two payments, on or about October 1 and April 1, subject to appropriation of state and federal funds. (Authorized by K.S.A. 75-2542; implementing K.S.A. 75-2547 and 75-2551; modified, L. 1978, ch. 446, May 1, 1978; modified, L. 1982, ch. 470, May 1, 1982; amended Jan. 16, 1989.)